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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/785,092	02/25/2004	Kiyoshi Kurosaki	1341.1191	8511

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EXAMINER

TRAN, QUOC DUC

ART UNIT	PAPER NUMBER
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2614

DATE MAILED: 06/19/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/785,092

Applicant(s)

KUROSAKI, KIYOSHI

Examiner

Quoc D. Tran

Art Unit

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 31 March 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1,3-8 and 10-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3-8 and 10-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

**DETAILED ACTION**

***Response to Amendment***

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 3, 7-8, 10, and 14-17 are rejected under 35 U.S.C. 102(b) as being anticipated by Hurd et al (5,937,051).

Consider claims 1 and 8, Hurd et al teach a user information management apparatus and computer program product including computer executable instructions stored on a computer readable medium, wherein the instructions, when executed by the computer, cause the computer to perform: creating transmission-record information based on information that has been transmitted to a user communication device in response to a first user call for utilizing an information provision service (col. 8 lines 17-35); and transmitting the transmission-record information to an operator terminal device that responds to one of the first user call and a second user call different from the first user call, the second user call being another call from a user who has transmitted the first user call by the user communication device (col. 8 lines 36-61), and wherein the information provided by the information provision service includes a plurality of information pieces, and the transmission-record information includes information about a transmission time of each information piece (col. 7 lines 26-65).

Consider claims 3 and 10, Hurd et al teach wherein the information provided by the information provision service includes a plurality of information pieces, and the transmission-record information includes information about whether each information piece has been completely transmitted (col. 7 lines 26-65).

Consider claims 7 and 14, Hurd et al teach wherein the instructions further cause the computer to perform creating supporting information that supports response communication for an operator using the operator terminal device based on the transmission-record information, wherein the transmitting of the transmission-record information includes transmitting the supporting information to the operator terminal device (col. 7 lines 26-65).

Consider claims 15 and 16, Hurd et al teach a user information management apparatus and computer program product including computer executable instructions stored on a computer readable medium, wherein the instructions, when executed by the computer, cause the computer to perform: creating transmission-record information based on information that has been transmitted to a user communication device in response to a first user call for utilizing an information provision service (col. 8 lines 17-35); and transmitting the transmission-record information to an operator terminal device that responds to one of the first user call and a second user call different from the first user call, the second user call being another call from a user who has transmitted the first user call by the user communication device (col. 8 lines 36-61), creating supporting information that supports response communication for an operator using the operator terminal device based on the transmission-record information, and wherein the transmitting of the transmission-record information includes transmitting the supporting information to the operator terminal device (col. 7 lines 26-65).

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Consider claim 17, Hurd et al teach a computer program product including computer executable instructions stored on a computer readable medium, wherein the instructions, when executed by the computer, cause the computer to perform: creating supporting information that supports response communication for an operator using the operator terminal device based on the transmission-record information, and wherein the transmitting of the transmission-record information includes transmitting the supporting information to the operator terminal device (col. 7 lines 26-65).

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 4-6 and 11-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hurd et al (5,937,051) in view of Peterson et al (6,904,143).

Consider claims 4 and 11, Hurd et al did not suggest wherein the information provided by the information provision service includes a plurality of information pieces, and the transmission-record information includes data concerning a ratio of amount of each information piece that has been transmitted to the user communication device to total amount of the each information piece. However, Peterson et al suggested such (col. 29 lines 23-53). Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to incorporate the teaching of Peterson et al into view of Hurd et al in order for presenting user with a more user friendly information.

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Consider claims 5 and 12, Peterson et al teach wherein the data indicates a diagram (Fig. 10-13).

Consider claims 6 and 13, Peterson et al teach wherein the data indicates a graph (Fig. 10-13).

### ***Response to Arguments***

5. Applicant's arguments filed 3/31/2006 have been fully considered but they are not persuasive.

Regarding applicant argument that Hurd does not teach “the information provided by the information provision service includes a plurality of information pieces, and the transmission-record information includes information about a *transmission time of each information piece*”. Accordingly, the examiner respectfully disagrees with applicant argument. Hurd et al invention is directed to call center system. A first customer service operator terminal receives a call. Using the ANI, all relevant information related to the caller is retrieved and displayed on the first operator terminal screen. After or during serving the call, the first operator determined that the call needed to be transferred to a second operator. All information related to the call and information displayed on the first operator screen is transferred with the call to the second operator terminal. Thus, Hurd et al clearly disclosed of providing a plurality of information pieces. It is acknowledged that Hurd et al did not specifically disclosed of the “time” of each information pieces. However, it is inherent since all call related data contains time stamp. This information is necessary to used in billing as well as system management report.

In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the

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teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, both Hurd et al and Peterson et al teaching are directed to call center system. Therefore, any one of the ordinary skills in the art would motivate to combine their teaching since they are of the similar system.

#### ***Important Notice***

6. The Group and/or Art Unit location of your application in the PTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to ***Group Art Unit 2614***.

#### ***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

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however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

9. Any response to this action should be mailed to:

Mail Stop \_\_\_\_ (explanation, e.g., Amendment or After-final, etc.)

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Facsimile responses should be faxed to:

**(571) 273-8300**

Hand-delivered responses should be brought to:

Customer Service Window

Randolph Building

401 Dulany Street

Alexandria, VA 22314

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Quoc Tran** whose telephone number is **(571) 272-7511**. The examiner can normally be reached on M, T, TH and Friday from 8:00 to 6:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Curtis Kuntz**, can be reached on **(571) 272-7499**.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the **Technology Center 2600** whose telephone number is **(571) 272-2600**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

**QUOCTRAN**  
**PRIMARY EXAMINER**



AU 2614

June 7, 2006